

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

UNITED STATES OF AMERICA

v.

AMANDA COUSINS (3)

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**CASE NUMBER 6:15-CR-00071-JCB-
JDL**

**REPORT AND RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE**

On April 22, 2025, the court conducted a hearing to consider the government's petition to revoke the supervised release of Defendant Amanda Cousins a/k/a Amanda Kay Lindsey. The government was represented by Lucas Machicek, Assistant United States Attorney for the Eastern District of Texas, and Defendant was represented by Tab Lawhorn.

Defendant originally pled guilty to the offense of Conspiracy to Possess with Intent to Distribute Methamphetamine, A Schedule II, a Class C felony. This offense carried a statutory maximum imprisonment term of 20 years. The guideline imprisonment range, based on a total offense level of 31 and a criminal history category of VI, was 188 to 235 months. On September 16, 2016, pursuant to a binding plea agreement for a variance that was accepted by the court, U.S. District Judge Michael H. Schneider of the Eastern District of Texas sentenced Defendant to 84 months imprisonment, followed by a 3-year term of supervised release to run consecutively to any future sentence in Defendant's revocation proceeding in Docket No. 14-17,204, County Court at Law #2, Angelina County, Texas. The court also ordered that Defendant receive credit for time served from December 3, 2015. Defendant's sentence was subject to the standard conditions of

release, plus special conditions to include financial disclosure and participation in a program of testing and treatment for drug abuse. On November 12, 2021, Defendant completed her period of imprisonment and began service of the supervision term. The case was then reassigned to U.S. District Judge J. Campbell Barker of the Eastern District of Texas.

On September 15, 2022, Defendant's conditions of supervision were modified to add two special conditions. First, Defendant must participate in and pay for any combination of psychiatric, psychological, or mental health treatment programs. Second, at the direction of the United States Probation Office, Defendant was to be placed on curfew for a period of 180 days where she was restricted to her residence every day from 9:00 p.m. to 6:00 a.m., or as directed by the probation officer. She was further required to wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer.

Under the terms of supervised release, Defendant was required to refrain from committing another federal, state, or local crime. In its petition, the government alleges that Defendant violated her conditions of supervised release on September 11, 2022, when she was arrested in Smith County, Texas for the crime of Possession of a Controlled Substance PG 1>=1G<4G, Texas Health and Safety Code § 481.115(c).

If the court finds by preponderance of the evidence that Defendant violated conditions of supervision by being arrested in Smith County, Texas on September 11, 2022 for the crime of Possession of a Controlled Substance PG 1>=1G<4G, Texas Health and Safety Code § 481.115(c), Defendant will have committed a Grade B violation. U.S.S.G. § 7B1.1(a). Upon finding of a Grade B violation, the court shall revoke supervised release. U.S.S.G. § 7B1.3(a)(1). Considering Defendant's criminal history category of VI, the Guideline imprisonment range for a Grade B

violation is 21 to 27 months; however, the statutory maximum imprisonment term is 24 months. U.S.S.G. § 7B1.4(a).

At the hearing, the parties indicated that they had come to an agreement to resolve the petition whereby Defendant would plead true to the Grade B violation of the conditions of supervision referenced above. In exchange, the government recommended to the court a sentence of 21 months imprisonment to run concurrently with the sentence imposed in 6:23-cr-00087.

The court therefore **RECOMMENDS** that Defendant's plea of true be accepted and that she be sentenced to a period of 21 months imprisonment to run concurrently with the sentence imposed in 6:23-cr-00087 with no supervised release to follow. The court further **RECOMMENDS** that Defendant serve her sentence at FCI Carswell, Texas. The parties waived their right to objections so this matter shall be immediately presented to the District Judge for consideration.

So ORDERED and SIGNED this 23rd day of April, 2025.


JOHN D. LOVE
UNITED STATES MAGISTRATE JUDGE